

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Vincent Best, # 10840-058,)
Petitioner,)
vs.) Civil Action No.: 0:09-11-TLW-PJG
John Owens, Warden,)
Respondent.)

ORDER

The petitioner, Vincent Best (“petitioner”), filed this action, *pro se*, pursuant to 28 U.S.C. § 1941. (Doc. #1). On January 6, 2010, the petitioner filed a motion for change of venue, noting that he had been transferred from the District of South Carolina to the Eastern District of New York. (Doc. #34). The respondent filed a response in support of the motion to transfer venue on January 25, 2010. (Doc. #35). The case was referred to United States Magistrate Judge Paige J. Gossett pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 (B)(2)(c), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. #36). On January 25, 2010, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that the petitioner’s motion for change of venue be granted and that this case be transferred to the Eastern District of New York. The petitioner did not file objections to the report, although the petitioner filed a supplemental reply in support of a change of venue on February 3, 2010. Objections to the Report were due on February 11, 2010.

This Court is charged with conducting a de novo review of any portion of the Magistrate

Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #36). For the reasons articulated by the Magistrate Judge, the petitioner's motion for change of venue, (Doc. #34), is **GRANTED**, and this action is hereby **TRANSFERRED** to the Eastern District of New York. All outstanding motions are hereby dismissed as moot with leave to refile pending further instructions from the District Court for the Eastern District of New York.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

February 18, 2010
Florence, South Carolina